

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,303

IN THE MATTER OF:

Served April 24, 2008

Petitions to Waive Regulation)
No. 67-03, Filed by:)

Case No. MP-2008-084

WINTER GROWTH, INC., WMATC No. 178)

UNITED PLANNING ORGANIZATION,)
Trading as, WASHINGTON ELDERLY)
HANDICAPPED TRANSPORTATION SERVICE)
(WEHTS), WMATC No. 419)

AM-VAN, INC., Trading as AAA)
TRANSPORT AND ALL AMERICAN)
AMBULANCE & TRANSPORT,)
WMATC No. 575)

FOWLER TRIO, L.L.C., Trading as AAA)
TRANSPORT AND ALL AMERICAN)
ADVENTURES & TOURS, WMATC No. 576)

J & J TRANSPORTATION, L.L.C.,)
Trading as AAA TRANSPORT AND ALL)
AMERICAN TRANSIT, WMATC No. 577)

MOBILITY EXPRESS INC.,)
WMATC No. 668)

ANDRE TCHOKOUANI, Trading as)
SUNSHINE TRANSPORTATION COMPANY,)
WMATC No. 741)

METRO TRANSPORTERS INC.,)
WMATC No. 871)

CITY SIGHTSEEING WASHINGTON DC INC.,)
Trading as OPEN TOP SIGHTSEEING)
WASHINGTON, WMATC No. 931)

CROWN CHARTERS & TOURS, LLC,)
WMATC No. 1063)

RESOURCES INTEGRATION GROUP, INC.,)
Trading as R.I.G., WMATC No. 1258)

C & C COACHES, INC., WMATC No. 1276)

KB TRANSPORTATION, LLC,
WMATC No. 1325

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Commission Regulation No. 60-01 provides that each carrier holding a certificate of authority on the first day of the calendar year shall file an annual report on or before January 31 of that year. Regulation No. 67-02 provides that each carrier holding a certificate of authority on the first day of the calendar year shall pay an annual fee of \$150 on or before January 31 of that year.

Each of the above-captioned carriers held a certificate of authority on January 1, 2008. Each failed to comply with Regulation No. 60-01 and/or Regulation No. 67-02 on or before January 31. As a result, each was automatically assessed \$100 or \$200 in late fees pursuant to Regulation No. 67-03, effective February 1.

Each carrier has filed a petition to waive Regulation No. 67-03. Under Rule No. 20-02, the Commission may consolidate two or more proceedings involving a common question of law or fact. Here, the common question is whether the Commission should waive the late fees assessed against petitioners.

Commission Rule No. 29 provides that the Commission may waive its rules "upon the filing of a motion showing good cause." Hence, the question is whether any of these petitions shows good cause for waiving said late fees.¹

After careful consideration of the grounds offered by each petition for waiving Regulation No. 67-03, we conclude that none constitutes good cause for granting the relief requested.

THEREFORE, IT IS ORDERED:

1. That the above-captioned petitions are hereby consolidated for decision pursuant to Commission Rule No. 20-02.

2. That all petitions are denied.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director

¹ In re Brook Transp. Serv., Inc., No. MP-07-092, Order No. 10,484 (May 10, 2007).